

REMARKS

This Amendment is being filed in response to the Final Office Action mailed June 8, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the drawings have been amended to change ${}^3F_{34}$ in FIG 3 to 3F_4 in conformance with the specification, such as page 6, lines 31 and 33, for example. A replacement sheet including FIG 3 is enclosed. Further, an annotated drawing sheet with marked-ups showing the change to FIG 3 is enclosed for convenience. Applicants respectfully request approval of the enclosed proposed drawing changes.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Further, the specification has been amended to correct certain informalities.

By means of the present amendment, claims 1-7 have been amended for non-statutory reasons, such as for better form

including beginning the dependent claims with 'The' instead of 'A', and changing spelling from British to American spelling. Claims 1-7 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Final Office Action, claims 1-7 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,160,826 (Swanson) in view of an article entitled "Optical Coherence Tomographic Imaging of Human Tissue at 1.55 μ m and 1.81 μ m using Er-and Tm Dopped Fiber Sources" (Bouma) and an article entitled "196-fs Passively Mode-Locked Thulium Fiber Laser with a Low Threshold" (Sharp). It is respectfully submitted that claims 1-7 are patentable over Swanson, Bouma and Sharp for at least the following reasons.

Swanson is directed to a method and apparatus for performing optical frequency domain reflectometry. As shown in FIG 1, the Swanson system 10 has a single coupler 30. Further, the Swanson system 10 includes a photodetector 50 that has a single port.

In stark contrast to Swanson, the present invention as recited in independent claim 1 which, amongst other patentable elements,

requires (illustrative emphasis provided):


a further beam splitter configured to receive part of a radiation from the beam splitter-combination arrangement and to couple out an output beam to a second port of the photodetector.

Bouma and Sharp are cited to allegedly show other features and do not remedy the deficiencies in Swanson. Accordingly, it is respectfully submitted that independent claim 1 is allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-7 should also be allowed at least based on their dependence from amended independent claim 1.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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Enclosure: Replacement drawing sheet (1 sheet including FIG 3)
Annotated drawing sheet (1 sheet showing change to
FIG 3)
New Abstract

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